

ESTTA Tracking number: **ESTTA283149**

Filing date: **05/11/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92050750
Party	Defendant DIEHL FOOD INGREDIENTS, INC.
Correspondence Address	DIEHL FOOD INGREDIENTS, INC. 24 NORTH CLINTON STREET DEFIANCE, OH 43512 UNITED STATES
Submission	Motion to Extend
Filer's Name	Michele P. Schwartz
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Signature	/Michele P. Schwartz/
Date	05/11/2009
Attachments	DOC.PDF (3 pages)(54871 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Registration No. 3,259,135)	
Issued: July 3, 2007)	
Mark: SENSORYEFFECTS and Design)	
)	
SENSIENT TECHNOLOGIES)	
CORPORATION,)	Cancellation No. 92050750
)	
Petitioner,)	
)	
v.)	
)	
DIEHL FOOD INGREDIENTS, INC.,)	
)	
Respondent.)	

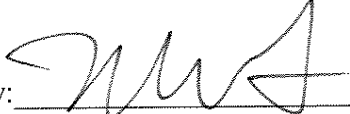
MOTION TO EXTEND TIME TO ANSWER AND ALL OTHER DATES

Respondent respectfully requests that its time to file an Answer or otherwise move and all other dates now set in the above-captioned proceeding be extended for a reasonable period of time pending the Board's decision on the Motion to Suspend filed by Respondant. On May 8, 2009, Respondent filed and served a Motion to Suspend the above-captioned proceeding pending disposition of Civil Action No. 4:08-CV-336 ERW filed by Petitioner Sensient Technologies Corporation against, *inter alia*, Respondent in the United States District Court for the Eastern District of Missouri (hereinafter the "Civil Action"). Respondent submits that there is good cause to extend time pending the determination of the Motion to Suspend because, as presented in the Motion to Suspend, a determination in the Civil Action will have a bearing on the instant cancellation proceeding. In addition, determinations as to likelihood of confusion and dilution in the Civil Action may have bearing on the nature of Respondent's Answer, counterclaims or further motions.

In view of the pendency of the Motion to Suspend, Respondent respectfully requests that its time to file an Answer and all other dates set by the Board in this proceeding be extended a reasonable period of time pending a determination of the Motion to Suspend.

Respectfully submitted,

ANDREWS KURTH LLP

By: 

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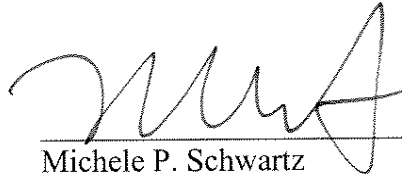
ATTORNEYS FOR RESPONDENT
DIEHL FOOD INGREDIENTS, INC.

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing MOTION TO EXTEND TIME TO ANSWER AND ALL OTHER DATES has been served on Respondent by sending the same via Federal Express on May 11, 2009 to:

Lori S. Meddings
Michael Best & Friedrich LLP
100 East Wisconsin Avenue, Suite 3300
Milwaukee, WI 53202-4108

and that the same document was filed electronically on the same day with the TTAB via ESTAA.


Michele P. Schwartz